

Progress Report 4/11/14-8/22/14

Project #09-1277, Qwuloolt Estuary Restoration - Construction

Submitted by Josh Meidav on 08/25/2014

Accepted by Elizabeth Butler on 08/28/2014

CONTACTS

Primary Sponsor: Tulalip Tribe

Lead Entity: Snohomish County LE

Managing Agency: Rec. and Conserv. Office

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RCO Grant Manager: Elizabeth Butler
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COSTS TO DATE

Project Start Date: 10/16/2009

Original End Date: 01/01/2012

FundingEnd Date: 09/30/2014

Funding Formula:	Requested		Original		Current	
Aquatic Lands Enhancement Acct:	\$0.00	(0%)	\$0.00	(0%)	\$456,780.05	(41%)
Puget Sound Acq. & Restoration:	\$500,000.00	(85%)	\$500,000.00	(85%)	\$650,000.00	(59%)
Sponsor Match:	\$90,000.00	(15%)	\$90,000.00	(15%)	\$0.00	(0%)
Total:	\$590,000.00	(100%)	\$590,000.00	(100%)	\$1,106,780.05	(100%)

Paid To Date: \$996,102.05

Remaining RCO Funds: \$110,678.00

Advance Balance: \$0.00

Admin Limit: \$0.00

A&E Limit: \$0.00

Last Released Billing: 04/28/2014

Pending Billing: No

Number of Billings: 6

Match Bank: \$3,762.68

Admin Spent: \$0.00

A&E Spent: \$39,396.96 3.55%

AMENDMENTS

#	Type	Applied Date	Description
9	Time Extension	05/13/2014	The project period of 10/16/2009 to 06/30/2014 is extended to allow the contracting party until 09/30/2014 to complete the project.
8	Cost Change	09/20/2013	Funding is increased by \$100,000 of 2007-2009 PSAR return funds from 10-1877, to afford higher than anticipated construction costs bringing the total Project Agreement to \$1,106,780.05.
7	Cost Change	08/06/2013	Funding is increased by \$50,000 of 2007-2009 PSAR return funds, to afford higher than anticipated construction costs bringing the total Project Agreement to \$1,006,780.05.
6	Time Extension	06/13/2013	The project period of 10/16/2009 to 06/30/2013 is extended to allow the contracting party until 06/30/2014 to complete the project.
5	Time Extension	09/14/2012	The project period of 10/16/2009 to 09/30/2012 is extended to allow the contracting party until 06/30/2013 to complete the project.
4	Special Conditions Change	07/18/2012	Completion of the earlier project, Qwuloolt Estuary Phase II Design (07-1624), was significantly delayed. In order to facilitate closing the 07-1624 project agreement with submittal of 95% Designs, a special condition for completion of the Qwuloolt Estuary restoration final design deliverables is added to this project agreement.
3	Cost Change	03/07/2012	This PSAR funded project provides the primary source of match for the ALEA funded project No. 06-1604 "Qwuloolt Estuary Restoration and Trail" and is similar in scope and schedule. In order to streamline contracting, this amendment will integrate No. 06-1604 into No. 09-1277 by aligning the scope of work and increasing the agreement amount by \$456,780.05 of unspent ALEA program funds, bringing the project agreement to total \$956,780.05 in funding.
2	Scope Change	01/25/2012	The project scope is changed to remove the levee breach and second year west levee construction, and to add channel restoration with riparian planting.
1	Time Extension	12/06/2011	The project period of 10/16/2009 to 01/01/2012 is extended to allow the contracting party until 09/30/2012 to complete the project.

PROGRESS REPORT QUESTIONS

#	Question	Answer	Answer Description
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1 of 4	Are there any significant challenges that might hinder progress or keep you from meeting your project milestones? If so, please tell us about them.	Yes	<p>As with many large scale projects, there have been some unanticipated cost increases to the project. This cost increase is not due to changes to the project design or scope. The main reason for this is due to the change in levee material needs.</p> <p>-Levee Material Needs: Material amounts went from an original 123,000 cubic yards to 134,000 cubic yards. In addition, changing material requirements between 2012 and 2014 resulted in the Corps rejecting previously approved material processed in 2012. The Corps has decided these materials are unsuitable for both the levee and the toe berm. These changes have resulted in a need for additional 42,000 cubic yard of levee material, which is the accepted target number by the project team (Corps and Tulalip). 2</p> <p>There are multiple reasons for the material shortfall and the Corps rejecting previously approved materials. These include:</p> <ul style="list-style-type: none"> o Initial specifications for the levee construction were vague (based on soil type) in the project design. These have become more specific since final design. o The initial material was blended and about 17,000 cubic yards set aside for levee surcharge. This surcharge material was rejected last month by the Corps as having too much organic material, forcing the Tribe to secure additional material from another source. o Levee material needs were based on levee volume estimates and later on surveys of the levee and material stockpiled. Levee volume estimates changed between 2012 and 2014 and interim volume estimates of levee material placed and stockpiles in January of 2014 were also in error resulting in approximately 18,000 cubic yards being "double counted". These factors have resulted in a need of an additional 18,000 cubic yards needed. o 4000 cubic yards of materials were placed by the Corps onto the levee but had to be removed because materials were not performing (compacting) even though laboratory testing showed they met specification requirements. o On the North and South ends of the levee the Corps had to over excavate (about 3,000 cubic yards) when they discovered unanticipated materials (concrete, garbage, etc.) at the base. Additional fill materials had to be used to bring the base elevation back up. <p>Amount of material needed = 42,000 cubic yards Additional Funds needed (includes purchase, haul, testing, and offloading of material) = \$800,000. The Corps will be placing materials and constructing the levee under their portion of the cost share agreement.</p> <p>- It would be ideal for the project construction timeline to secure commitment for first funding sources by 8/28/14 and for all funding sources by 9/5/14. This would ensure construction continues with minimal interruption.</p> <p>Tulalip Tribes is working with the following funding sources to fill the additional gap. The following is the anticipated funding strategy for this shortfall.</p> <p>Funding Sources:</p> <ul style="list-style-type: none"> -NRCS \$220,000 Funding allocated May 2014 but still awaiting NRCS appropriation before it can be provided to Tulalip -Tulalip Tribes ~ \$250,000 - \$300,000 Working with Tribe to identify possible additional funds. -PSAR (Return) \$500,000 Depends on availability of funds and results of
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above sources.

-Ecology –Floodplains, NEP \$85,000-\$110,000 (NEP) In conversations with various Ecology grants about possible additional funds.

Note: The Floodplains Management and Control grant (ECY) provided resources to secure additional 20,000 cubic yards in spring 2014. The current shortfall is in addition to this 20,000.

If we are able to secure the additional funding for the project this construction season, the project will stay on schedule. If not, the setback levee surcharge would not be able to be completed until 2015, with the Ebey Slough levee breach not happening until 2016.

The interior elements for the project are 90% complete. There remains some shaping of levee strippings, hydroseeding, and native planting in the interior. We have completed a total of 70% of the setback levee construction; 30% of it has been constructed this year so far, starting at 40% completion in July 2014. Stations 0-900' are at an average of 9.5' above MSL, Stations 950-3950 are at an average of 11' above MSL. The final surcharge phase would bring the levee to an average of 18.5' above MSL.

2 of 4 Describe the work accomplished during this reporting period.

3 of 4 Do you anticipate any changes to your project? Please describe those changes here.

No

4 of 4 Tell us about work planned for the next reporting period.

We plan to complete the full setback levee surcharge phase this year, which is contingent on continued funding for the material shortfall outlined above. We plan to achieve this before the end of this construction season. This would bring the setback levee up to 18.5' above MSL, and after settlement during winter and spring of 2015, would allow the final grading, berm shaping, and rock placement on the levee surface in the summer of 2015, in preparation for the breach of the north levee along Ebey Slough in October 2015.

MILESTONES

Milestone	Target Date	Description	Completed	Delayed	New	Progress/Reason for Delay
					Target Date	
Project Start	10/16/2009		X			
Cultural Resources Complete	10/16/2009	Completed in 2008	X			
Applied for Permits	03/01/2010	Federal permits were submitted in 2009	X			
Progress Report Submitted	03/15/2011		X			
Annual Project Billing	03/15/2011	and at least once per year thereafter	X			
Progress Report Submitted	09/30/2011		X			
Progress Report Submitted	03/16/2012		X			
RFP Complete/Consultant Hired	05/30/2012	was 07/01/2011	X			
Annual Project Billing	07/31/2012		X			
Progress Report Submitted	07/31/2012		X			
Permits Complete	09/21/2012		X			
Bid Awarded/Contractor Hired	09/24/2012		X			
Progress Report Submitted	12/31/2012		X			
Restoration Started	02/13/2013	USACE portion	X			
Progress Report Submitted	04/30/2013		X			
Final Design to RCO	07/31/2013	Per Special Condition to Grant Agreement	X			
Progress Report Submitted	09/30/2013		X			
Progress Report Submitted	12/31/2013		X			
Progress Report Submitted	03/31/2014		X			
Restoration Complete	07/31/2014	Setback Levee		X	12/31/2014	Cost over-runs, variability in levee material specifications and calculations, material consistency, and site conditions.
Agreement End Date	09/30/2014					
Final Report in PRISM	09/30/2014					
Stewardship Plan to RCO	09/30/2014					
Final Billing to RCO	11/30/2014					
Final Design to RCO	12/30/2014	As-built				

PERMITS

Type	Applied Date	Received Date	Expiration Date	Permit Number	Comments
Clear & Grade Permit	08/01/2012	10/9/2012		G12-0023 and C	
Cultural Assessment [Section 106]		12/9/2008		120808-24-COE	Survey in 2006 and 2008. Determination of No Historic Properties Affected.
Dredge/Fill Permit [Section 10/404 or 404]	05/28/2010	11/16/2010		NWS-2010-007	
Endangered Species Act Compliance [ESA]		1/12/2009		13410-2009-I-01	USFWS Fish Passage/Habitat Restoration Programmatic, NMFS Section 4(d) Limit Number 8 (Habitat Restoration)
Hydraulics Project Approval [HPA]	08/08/2012	9/5/2012		120658-2	
SEPA	05/28/2010	6/29/2011		PA 10013	
Shoreline Permit	05/28/2010	8/2/2011		PA 10013	This permit was appealed, but permit was upheld 9/13/2011.
Water Quality Certification [Section 401]	12/24/2008	2/4/2009		PI-09-11	Ecology certifies that work complies with CWA and CZMA and State CZMP.

Permit Questions

#	Question	Answer	Answer Description
1 of 3	Any additional mitigation requirements? If so, please describe.	No	
2 of 3	Are there any additional permits required? If so, please describe.	No	
3 of 3	Tell us about your progress with securing your permits or ESA consultation.		Completed.